IN THE HIGH COURT OF BOMBAY AT GOA

APPEAL FROM ORDER NO. 109 OF 2007

ROHIT RAGHUVIR PAIGANKAR AND 3 ORS., ... Appellants

Versus

RADHA NANDLAL KALRO AND 5 ORS., ... Respondents

Mr. Valmiki Menezes, Advocate for the Appellants.
Mr. C. Mascarenhas, Advocate for Respondents No. 1 and 2.

Coram:- N. A. BRITTO, J.

Date:- 13th December, 2007

ORAL ORAL :

Heard learned Counsel on behalf of the Appellants and Respondents No. 1 and 2.

2. Notice to Respondents no. 3 to 5 is dispensed with.

3. Radha Nandlal Kalro has been appointed as Administrator by an ex-parte order dated 16/10/2007 of the learned Civil Judge, Senior Division, Margao. Apparently, she has been so appointed on the ground that the deceased mother was residing with her. According to the Appellant she was not entitled to be appointed under the relevant provisions of the Civil Code. This submission can certainly be urged before the learned Civil Judge, Senior Division who passed the ex-parte order dated 16/10/2007. Learned Counsel informs that such an application for her removal has been filed. The learned Civil Judge Senior Division is hereby directed to dispose off the same within a period of 30 days from the receipt of this order.

4. Appeal disposed of on the above terms. The Appellants are entitled

to raise any other contention which is available to them in law.

N. A. BRITTO, J.

NH